REMARKS

Entry of this amendment and reconsideration are respectfully requested in light of the amendments made to the claims and the remarks made herein.

Claims 1-9 are pending and stand rejected.

Claims 1-6 have been amended.

The examiner has objected to the title as not being descriptive and suggested a new title.

Applicant has reviewed the suggested title and elected to amend the title as suggested by the examiner. Having amended the title as suggested, applicant respectfully requests that the new title be entered and withdrawal of the objection.

The examiner has objected to the specification for lacking section headings.

Applicant respectfully declines at this time to amend the disclosure to include the suggested heading as 37 CFR §1.77(b) discloses a *suggested* format for the arrangement of the disclosure. Applicants respectfully submit that the present disclosure follows the suggested format where applicable. With regard to 37 CFR§1.77(c), which was not cited in the Office Action, Applicants respectfully submits that section headings are suggested but not required, as 37 CFR §1.77(c) clearly states the sections defined in paragraphs (b) (1) through (b) (11) "should" be preceded by a section heading.

The examiner has objected to the specification on page 4, for making reference to "claim 1."

Applicant thanks the examiner for his observation and has amended the specification to delete the reference to "claim 1." Having amended the specification to remove the objected-to language, applicant submits that the reason for the objection has been overcome. Applicant respectfully requests the objection be withdrawn.

Claim 3 is rejected under 35 USC §112, second paragraph as being indefinite for including the term "SAMPA."

Applicant thanks the examiner for his observation and has amended the claim by to clarify that the predefined phonetic transcription is "SAMPA." "SAMPA" is a well-known international phonetic alphabet for European languages. (see page 3 of the instant

application and page 2196, section 3.2 of Kohler (Multi-Lingual phoneme recognition exploiting acoustic-phonetic similarities of sounds).

Having amended the claim to clarify the objected-to language, applicant submits that the reason for the rejection has been overcome. Applicant respectfully requests the objection be withdrawn.

Claims 1 to 5 and 7 to 8 stand rejected under 35 USC §103(a) as being unpatentable over Kohler ("Multi-lingual phoneme recognition exploiting acoustic-phonetic similarities of sound") (Kohler I) in view of Barry ("The simultaneous user of three machine speech recognition systems to increase recognition accuracy").

It is the examiner's position that Kohler I discloses the subject matter recited in claim 1, for example. But Kohler I omits the use of two or more different phoneme assigning methods. Barry teaches an analogous art method with EMR software algorithm for speech recognition. It would have been obvious to apply majority rules algorithm as taught by Barry to a multi-lingual phoneme assignment method of Kohler I.

Applicant respectfully disagrees with, and explicitly traverses the examiner's reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, applicant has elected to amend claim 1 to more clearly state that in the event no majority is found then information is obtained from a predefined phonetic transcription. No new matter has been added. Support for this amendment may be found in claim 3, which has been introduced into claim 1.

Kolher I, as read by the applicant, teaches experiments for developing multi-lingual phoneme model wherein the performance of cross-language speech models was compared to language-dependent models. The examiner notes that Kohler I "omits two or more different phoneme assigning methods." Kohler further fails to disclose or suggest any selection of a phoneme assignment when an assignment cannot be made and using a predefined phonetic transcription, as is recited in the amended claim.

Barry discloses a teaches the use of three different automated speech recognition devices working in parallel, along with an Enhanced Majority Rules software algorithm to obtain an improved speech recognition accuracy. Barry shows the majority rule algorithm accepting results when at least two or when one match is obtained and using

second best words when no matches are obtained. Barry teaches that when no match is found the entry with the lowest distance score is reported. Barry fails to discuss or suggest that when a majority is not found that an assignment is determined from a "predefined phonetic transcription," as is recited in the claims.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

In this case, Kohler I is silent on using multiple algorithms, and its teachings also fail to recite the use of predefined phonetic transcription. Similarly, Barry is silent with regard to using a predefined phonetic transcription when a majority is not found. Therefore, both Kohler and Barry fail to appreciate the present invention in using a predefined phonetic transcription when no majority is found. Accordingly, one would not look to combine the teachings of Kohler and Barry to develop the novel features of the present invention as neither Kohler nor Barry disclose, teach or provide motivation to utilize a predefined phonetic transcription, as is recited in amended claim 1.

Even if one were to combine the teachings of Kohler and Barry, the combined invention would not include all the elements recited in the claims. As shown both Kohler and Barry fail to teach or suggest using a predefined phonetic transcription when no majority is found. Hence, the combined device of Kohler and Barry would not include all the elements claimed.

Having shown that there is no teaching or suggestion to combine the references cited and even if the references were combined, the combined device would not include all the elements recited, applicant submits that the reason for the examiner's rejection of claim 1 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to claims 2-5, 7 and 8, these claims ultimately depend from claim 1, which has been shown to be allowable over the cited references. Accordingly, these claims are also allowable by virtue of their dependency upon an allowable base claim.

Claims 6, 9 and 10 are rejected under 35 USC 103(a) as being unpatentable over Kohler (Kohler I) in view of Barry and further in view of Kohler ("Language adaptation of multilingual phone models for vocabulary independent speech recognition tasks") (Kohler II).

Applicant respectfully disagrees with, and explicitly traverses the examiner's reason for rejecting the claims.

As noted above Kohler I teaches experiments for developing multi-lingual phoneme model wherein the performance of cross-language speech models was compared to language-dependent models. The results of the experiments show that "language-dependent models yield a higher performance than the cross-language models." (see page 2197, section 4.3). Hence, Kohler I teaches away from using phonemes of different languages (cross-language models) as their performance is not a high as language-dependent models. Thus, one would not look to Kohler I to assign basic phoneme units described by models that are generated by a source language different from the target language, as is recited in the claims.

Accordingly, there is no reason or motivation to combine the teachings of Kohler I and Kohler II, as Kohler I teaches away from using cross-language models for target languages.

Having shown that Kohler I teaches away from subject matter recited in claim 6, applicant submits that the reason for the examiner's rejection of claim 6 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to claims 9 and 10 these claims ultimately depend from claim 6, which has been shown to be allowable over the cited references. Accordingly, these claims are also allowable by virtue of their dependency upon an allowable base claim.
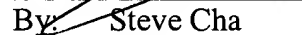
For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

John Vodopia
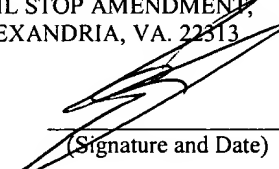Registration No. 36,299

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By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
John Vodopia, Registration No. 36,299
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615

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Steve Cha, Reg. No. 44,069
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